

AN ORDINANCE

BY COUNCILMEMBER CARLA SMITH



AN ORDINANCE AUTHORIZING A NEW APPRAISAL FOR THE PURCHASE BY THE CITY OF A TWELVE FOOT (12') STRIP OF LAND ALONG THE REAR PROPERTY LINE OF 1144 AND 1200 AVONDALE AVENUE, LYING AND BEING IN LAND LOT 23 OF THE 14TH DISTRICT, FULTON COUNTY, GEORGIA; AND FOR OTHER PURPOSES.

WHEREAS, in connection with post closure care for the Atlanta East Confederate Avenue Municipal Solid Waste Landfill [Permit Number 060-057D(L), Ordinance 06-O-1060 was adopted by the City Council on June 5, 2006 and approved by the Mayor on June 9, 2006;

WHEREAS, Ordinance 06-O-1060 authorized, amongst other things, the purchase of a certain twelve foot (12') strip of land being a part of 1144 and 1200 Avondale Avenue, said property lying and being in Land Lot 23 of the 14th District, Fulton County, Georgia (the "Twelve Foot Strip"); and

WHEREAS, in Ordinance 06-O-1060, the developer agreed to provide the Twelve Foot Strip to the City for a price not to exceed one-half the fair market value and in no case in an amount in excess of \$135,000.00 with the remaining portion as a donation to the City; and

WHEREAS, a new appraisal is required to determine the fair market value of the Twelve Foot Strip.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA THAT:

SECTION 1: The Chief Procurement Officer or his designee shall have an appraisal review done to determine the fair market value of the Twelve Foot Strip.

SECTION 2: The Mayor, on behalf of the City, is authorized to execute any and all contracts, deeds, instruments or other documents that the City Attorney deems necessary or advisable to accomplish the purchase of the Twelve Foot Strip.

SECTION 3: The City Attorney is hereby directed to prepare for execution by the Mayor, any and all contracts, deeds, instruments, or other documents that the City Attorney deems necessary or advisable to accomplish the intent of this ordinance, said documents to be approved as to form by the City Attorney.

SECTION 4: All ordinances and parts of ordinances in conflict herewith are hereby waived for the purposes of this ordinance only, and only to the extent of the said conflict.